

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

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|---------------------------|---|------------------|
| WILLIE FATE JONES, |) | |
| |) | |
| Petitioner, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 2:06cv300-MHT |
| |) | (WO) |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |

OPINION

Pursuant to 28 U.S.C. § 2255, petitioner, a federal inmate, filed this lawsuit seeking habeas relief. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that petitioner's request for relief be granted to the extent he seeks to file an out-of-time appeal in his criminal case, United States of America v. Willie Fate Jones, Criminal Action No. 2:04cr097-MHT (M.D. Ala.), and that his request be denied without prejudice in all other respects. After an independent and de novo review of the record, the court

concluded that the magistrate judge's recommendation, to which no objections have been filed, should be adopted.

An appropriate judgment will be entered.

DONE, this the 21st day of April, 2008.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE